

# 22/IDS

*(Decorative flourish)*

Group Art Unit: 2854

Examiner: S. Funk  
J. Hilten

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SIR:

Reissue applicants submit copies of prior art and other information disclosed (a) subsequent to the first office action (which on February 9, 2000 was unexpected) in REISSUE APPLICANTS' MEMORANDUM CONCERNING THE PRIOR ART AND THEIR POSITION ON PATENTABILITY (**Part I** herein April 7, 2000), or (b) recently obtained from their adversaries unpublished file history standby rejected before the Board of Appeals (**Part II** - obtained through grant of a Rule 14 Petition on June 2, 2000), or (c) submitted in mid-1999 with their FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT concerning prior art and other information disclosed in various DeMoore et al. applications filed October 2, 1995 and their foreign counterparts, or (d) the foreign counterparts to Ser. No. 081435,798, or (e) from recently issued U.S. Pat. 5,960,713 (**Parts III - VIII**), or (f) otherwise recently obtained by the undersigned (**Part IX**).

**Statement under 37 C.F.R. §1.97(e).** This application was/is concurrently in litigation in the Northern District of Texas. The Office Action of February 9, 2000 was unexpected, as reissue applicants had not, at that time, requested examination. Subsequently, c. March 8, 2000, applicants did request examination. Hence, the information submitted (a)-



(e) was not late. Furthermore, no item of information cited herein was cited in a foreign counterpart application to the '363 patent, as none exists.

Therefore, no fee is seen to be due. 37 C.F.R. §1.97(c). Reissue Applicants in an abundance of caution tender a check for \$240.00 if required under 37 C.F.R. 1.17(p). **The requisite PTO-1449 forms are attached.**

The PTO is authorized to charge a deposit account No. 23-3189 or deposit account 06-0075, if any additional fees are seen to be due.

**I.**  
**PRIOR ART AND OTHER INFORMATION**  
**DISCUSSED IN REISSUE APPLICANTS'**  
**MEMORANDUM CONCERNING THE PRIOR**  
**ART AND THEIR POSITION ON PATENTABILITY**  
**(IN ORDER OF APPEARANCE IN MEMORANDUM)**

| <u>Item No.</u> | <u>Patent No.</u> | <u>Patentees</u>       | <u>Grant Date (Filing Date If Appropriate)</u> |
|-----------------|-------------------|------------------------|------------------------------------------------|
| 1.              | 4,706,601         | Jahn                   | 11/17/87                                       |
| 2.              | 4,421,027         | Fischer                | 12/20/83                                       |
| 3.              | 4,270,483         | Butler et al           | 06/02/81                                       |
| 4.              | 4,779,557         | Frazzitta              | 10/25/88                                       |
| 5.              | 4,841,903         | Bird                   | 06/27/89                                       |
| 6.              | 4,617,865         | Switall                | 10/21/86                                       |
| 7.              | 4,825,804         | Dirico et al           | 05/02/89                                       |
| 8.              | 4,685,414         | Dirico et al           | 08/11/87                                       |
| 9.              | 5,107,790         | Sliker et al           | 04/28/92                                       |
| 10.             | 4,934,305         | Koehler et al          | 06/19/90                                       |
| 11.             | 5,178,678         | Koehler et al          | 01/12/93                                       |
| 12.             | 5,370,976         | William Smith<br>et al | 12/06/94 (5/22/92)                             |
| 13.             | 5,176,077         | DeMoore et al          | 01/05/93                                       |
| 14.             | 5,207,159         | DeMoore et al          | 05/04/93                                       |
| 15.             | 5,335,596         | DeMoore et al          | 08/09/94<br>(08/30/91)                         |
| 16.             | 4,402,267         | DeMoore                | 09/06/83                                       |



| <u>Item No.</u> | <u>Patent No.</u> | <u>Patentees</u> | <u>Grant Date (Filing Date If Appropriate)</u> |
|-----------------|-------------------|------------------|------------------------------------------------|
| 17.             | 4,796,556         | Bird             | 06/10/89                                       |
| 18.             | 4,939,992         | Bird et al       | 07/10/90                                       |

**II.**  
**PRIOR ART AND OTHER INFORMATION**  
**CITED IN SERIAL NO. 08/435,798 TO DEMOORE ET AL**

| <u>Item No.</u> | <u>Patent No.</u>             | <u>Patentees</u> | <u>Grant Date (Filing Date If Appropriate)</u> |
|-----------------|-------------------------------|------------------|------------------------------------------------|
| 19.             | 2,531,036                     | Goettsch         | 11/21/50                                       |
| 20.             | 3,360,363                     | Rhorer           | 12/26/67                                       |
| 21.             | 3,397,675                     | DeLigt           | 08/20/68                                       |
| 22.             | 3,433,155                     | Norton           | 03/18/69                                       |
| 23.             | 3,768,438                     | Kumpf            | 10/30/73                                       |
| 24.             | 3,800,743                     | Egnaczak         | 04/02/74                                       |
| 25.             | 3,916,824                     | Knodel et al     | 11/04/75                                       |
| 26.             | 3,931,791                     | Preuss et al     | 11/04/75                                       |
| 27.             | 4,222,325                     | Edwards          | 09/16/80                                       |
| --              | 4,270,483<br>(See Item No. 3) | Butler           | 06/02/81                                       |
| 28.             | 4,308,796                     | Satterwhite      | 01/05/82                                       |
| 29.             | 4,372,244                     | Rebel            | 02/08/83                                       |
| 30.             | 4,397,237                     | Makosch          | 08/09/83                                       |
| 31.             | 4,399,767                     | Simeth           | 08/23/83                                       |
| --              | 4,421,027<br>(See Item No. 2) | Fischer          | 12/20/83                                       |
| 32.             | 4,501,223                     | Matsuno et al    | 02/26/85                                       |
| 33.             | 4,524,712                     | Ito              | 06/25/85                                       |
| 34.             | 4,569,306                     | Ito et al        | 02/11/86                                       |
| 35.             | 4,615,293                     | Jahn             | 10/07/86                                       |
| --              | 4,617,865<br>(See Item No. 6) | Switall          | 10/21/86                                       |
| --              | 4,685,414<br>(See Item No. 8) | DiRico           | 08/11/87                                       |
| --              | 4,706,601                     | Jahn             | 11/17/87                                       |



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| <u>Item No.</u>                                                                                 | <u>Patent No.</u>                                                                                            | <u>Patentees</u> | <u>Grant Date (Filing Date If Appropriate)</u> |
|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------|------------------------------------------------|
| 36.                                                                                             | (See Item No. 1)<br>4,779,557                                                                                | Fraggita         | 10/25/88                                       |
| --                                                                                              | 4,796,556<br>(See Item No. 17)                                                                               | Bird             | 01/10/89                                       |
| 37.                                                                                             | 4,815,413                                                                                                    | Kota             | 03/28/89                                       |
| --                                                                                              | 4,825,804<br>(See Item No. 7)                                                                                | DiRico et al     | 05/02/89                                       |
| --                                                                                              | 4,841,903<br>(See Item No. 5)                                                                                | Bird             | 06/27/89                                       |
| 38.                                                                                             | 4,852,515                                                                                                    | Terasaka et al   | 08/01/89                                       |
| 39.                                                                                             | 4,889,051                                                                                                    | Sarda            | 12/26/89                                       |
| Sarda is the primary cantelevered reference<br>enjoyed by the Examiner in Serial No. 08/435,798 |                                                                                                              |                  |                                                |
| --                                                                                              | 4,934,305<br>(See Item No. 10)                                                                               | Koehler et al    | 06/19/90                                       |
| --                                                                                              | 5,107,790<br>(See Item No. 9)                                                                                | Sliker et al     | 04/28/92                                       |
| 40.                                                                                             | 5,115,741                                                                                                    | Rodi             | 05/26/92                                       |
| --                                                                                              | 5,178,678<br>(See Item No. 11)                                                                               | DeMoore et al    | 01/05/93                                       |
| 41.                                                                                             | 5,209,179                                                                                                    | Herbert et al    | 05/11/93                                       |
| --                                                                                              | 5,335,596<br>(See Item No. 15)                                                                               | DeMoore et al    | 08/09/94<br>(08/30/91)                         |
| 42.                                                                                             | EP 647,524 A1                                                                                                | DeMoore          | 04/12/95<br>publ.                              |
| 43.                                                                                             | Article "Lackier-Aggregat für<br>Speedmaster-Maschinen", Kunststoff<br>Verarbei 26 (1991) June No. 6, p. 129 |                  | 06/91                                          |

**III.  
PRIOR ART AND OTHER INFORMATION  
BROCHURES OF COATERS**

| <u>Item No.</u> | <u>Description 1978 - 1995</u>                                   | <u>Date</u> |
|-----------------|------------------------------------------------------------------|-------------|
| 44.             | Brochure, "The Versatile Two in One"<br>Dahlgren Coater Dampener | 1978        |
| 45.             | Brochure, "LAS Application System"<br>Dahlgren Dampener Division | ©1981       |



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| <u>Item No.</u> | <u>Description 1978 - 1995</u>                              | <u>Date</u>   |
|-----------------|-------------------------------------------------------------|---------------|
| 46.             | Brochure, "IBC Blanket Coating System"                      | 1984          |
| 47.             | Brochure, "Dahlgren Coater Printer: Two Processes in One"   | 1986          |
| 48.             | Brochure, "Dahlgren Groupe Presentation Visuelle"           | 1987          |
| 49.             | Brochure, "Oxy-Dry 2 Roll Blanket Coater"                   | 1987          |
| 50.             | Dahlgren-Product Dahlgren Blanket Coater                    | ©1988+        |
| 51.             | Pictures of Rapidac Blanket Coater                          | Late 1980's   |
| 52.             | Dahlgren Product Data Bulletin                              | ©1990         |
| 53.             | Brochure, Dahlgren's "New LithoPlus Coating System"         | 1990          |
| 54.             | Dahlgren Lithoplus Coater                                   | 1990          |
| 55.             | Brochure, "Epic 3 Roll Coaters"                             | 1991          |
| 56.             | Brochure, "PBC Plate/Blanket & PC Plate Coater" by PRI      | © 1994        |
| 57.             | Brochure, "Dahlgren Simple Roll Coater"                     | ©1992         |
| 58.             | Brochure, IYT Colordry Inc "Blanket Coater"                 | Early 1990's  |
| 59.             | Brochure, Dahlgren - "The Greatest Performance In Printing" | Early 1990's  |
| 60.             | "HVP Show Informer Article"                                 | October, 1995 |

**IV.  
ADDITIONAL PRIOR ART PATENTS  
CITED IN U.S. PATENT NO. 5,960,713**

| <u>Item No.</u> | <u>Patent No.</u> | <u>Patentees</u> | <u>Grant Date (Filing Date If Appropriate)</u> |
|-----------------|-------------------|------------------|------------------------------------------------|
| 61.             | 4,446,814         | Abendroth et al  | 05/08/84                                       |
| 62.             | 5,280,750         | Yoshida et al    | 01/25/94<br>(5/9/90)                           |



V.  
**ADDITIONAL PRIOR ART PATENTS AND OTHER  
 INFORMATION CITED IN COUNTERPART  
 TO SERIAL NO. 08/435,798  
NOT CITED ABOVE**

| <u>Item No.</u> | <u>Patent No.</u> | <u>Patentees</u> | <u>Grant Date (Filing<br/>Date If Appropriate)</u> |
|-----------------|-------------------|------------------|----------------------------------------------------|
| 63.             | 4,882,991         | Simeth           | 11/28/89                                           |

VI.  
**ADDITIONAL PRIOR ART PATENTS AND OTHER  
 INFORMATION CITED IN FOREIGN COUNTERPARTS  
 TO SERIAL NO. 08/538,422 FILED OCTOBER 2, 1995  
 NOW U.S. PATENT NO. 5,960,713  
NOT CITED ABOVE**

| <u>Item No.</u> | <u>Patent No.</u>   | <u>Patentees</u>              | <u>Grant Date (Filing<br/>Date If Appropriate)</u> |
|-----------------|---------------------|-------------------------------|----------------------------------------------------|
| 64.             | DE 43 11<br>834(A1) | M.a.n. Roland Drucksmaschinen | 10/13/94(publ.)                                    |

VII.  
**ADDITIONAL PRIOR ART PATENTS AND OTHER  
 INFORMATION CITED IN U.S. PATENT 5,598,777  
NOT CITED ABOVE**

| <u>Item No.</u> | <u>Patent No.</u> | <u>Patentees</u>           | <u>Grant Date (Filing<br/>Date If Appropriate)</u> |
|-----------------|-------------------|----------------------------|----------------------------------------------------|
| 65.             | GB 2,263,438(A)   | Langston Corp              | 7/28/93 (publ.)                                    |
| 66.             | 5,243,907         | Weishew                    | 9/14/93                                            |
| 67.             | CH 319,9622       | Maschinenfabrik<br>Winkler | 03/15/57                                           |

VIII.  
**ADDITIONAL PRIOR ART PATENTS AND OTHER INFORMATION  
 CITED IN U.S. PATENT 5,651,316 TO FISCHER  
NOT CITED ABOVE**

| <u>Item No.</u> | <u>Patent No.</u> | <u>Patentees</u> | <u>Grant Date (Filing<br/>Date If Appropriate)</u> |
|-----------------|-------------------|------------------|----------------------------------------------------|
| 68.             | 4,423,677         | Fischer          | 01/03/84                                           |
| 69.             | 4,536,218         | Ganho            | 8/20/85                                            |
| 70.             | 4,796,528         | Sarazen          | 01/10/89                                           |
| 71.             | 5,189,960         | Valentini et al  | 03/02/93<br>(11/18/91)                             |

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72. 5,476,041  
Not Prior Art


Czotscher

12/19/95  
(08/10/94)

**IX.  
OTHER POSSIBLE RELEVANT PRIOR ART  
PATENTS AND OTHER INFORMATION**

| <u>Item No.</u> | <u>Patent No.</u>              | <u>Patentees</u> | <u>Grant Date (Filing<br/>Date If Appropriate)</u> |
|-----------------|--------------------------------|------------------|----------------------------------------------------|
| 73.             | 2,333,962                      | Terry            | 11/09/43                                           |
| 74.             | 3,604,350                      | Rosenstadt       | 09/14/71                                           |
| 75.             | 3,749,011                      | Aben droth et al | 07/31/73                                           |
| 76.             | 3,986,452                      | Dahlgrew         | 10/19/76                                           |
| 77.             | 5,317,971                      | Deye et al       | 06/07/94<br>(8/26/92)                              |
| --              | 4,882,991<br>(See Item No. 63) | Simeth           | 11/28/89                                           |
| 78.             | 4,704,296                      | Leanna et al     | 11/03/87                                           |

Respectfully submitted,

  
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ATTORNEY FOR REISSUE APPLICANTS

**CERTIFICATE OF SERVICE**

This is to certify that the foregoing Second Supplemental Statement of Prior Art and Other Information was served on '363 Protestors counsel of record by placing a true and correct copy in the United States mail, postage prepaid, on the 17<sup>th</sup> day of July, 2000, addressed as follows:

William D. Harris, Jr., Esq.  
Locke Liddell & Sapp L.L.P.  
2200 Ross Avenue, Suite 2200  
Dallas, Texas 75201-6776



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